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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/695,997	10/26/2000	Hyun-Jung Shin	Q60816	3463

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WASHINGTON, DC 20037-3213

EXAMINER

WIN, AUNG T

ART UNIT	PAPER NUMBER
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2645

DATE MAILED: 07/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/695,997

Applicant(s)

SHIN ET AL.

Examiner

Aung T. Win

Art Unit

2645

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on March 02, 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,2,4-6 and 8-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6 and 8-19 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 02 March 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Drawings

1. Drawing submitted on March 02, 2005 has been considered.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1, 2, 5, 6, 9, 11, 13, 15-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Smith et al. (US Patent Number: US006333973B1).

Regarding Claims 1, 2, 5, 6, 13, 15, 16, 17, 18, 19, Smith discloses a voice mailbox management method of a mobile telephone user [Figure 3] in response to receiving a short message from a voice server. Smith discloses the method comprising the step of (a) accessing the user's voice mail box in voice mail server 5600 using the graphical controls [Figure 10] [Column 9, Line 54-65], receiving the pending messages (reads on a new or previously stored voice message stored in a voice mailbox of the voice mail server). Smith also discloses that the user is enabled to view the different types of pending messages such as fax mail, e-mail, voice mail, etc and enabled the user to

Art Unit: 2645

view, prioritize, edit, playback, discard, and/or forward messages. [Column 3, Line 48-59] (Inherently reads on sending an user input step since the user needs to use the graphical controls to access the user's voice mail box).

Smith further discloses a Message center which is a logical entity that resides in the mobile telephone of the user and operates in conjunction with network services provider to inform a user of incoming and pending messages, such as fax mail, e-mail, voice mail etc., which are stored in the voice mail server of the Network services provider [Column 3, Line 50-59] [Column 8, Line 27-Column 9, Line 5] [Figure 6] [7A & 7B]. Smith discloses that Network services provider [Figure 5] stores the message left by the caller for the user as voice mail and sends a short message to the mobile telephone of the user notifying the user of the pending voice mail message [Column 4, Line 21-25] [Column 4, Line 44 – Column 5, Line 8]. Smith clearly discloses that notification message might include the caller's name and telephone number, a time and date stamp, and the name and address of voice mail server (reads on short message comprises at least one of a message identifier) [Column 7, Line 51 – Column 8, Line 9] [Figure 6 & 7] [Column 8, Line 10-65].

Smith further discloses that once the user reads or listens to a message, message center marks the message as read/heard i.e., message center indicates status of the messages read/unread, or heard/unheard (read on the state changing step of the

Art Unit: 2645

message and receiving a short message short message) [Column 8, Line 66-Column 9, Line 5].

Since the Message center operates in conjunction with network services provider as stated above modifying information step is inherent Smith's message management method to store the modified message information i.e., heard and unheard message or edited message in the user's voice mail box in the voice server of network services provider.

Regarding Claim 9, Smith discloses the voice mailbox management method for a voice mail server using a short message, the voice mailbox management method comprises the receiving step in which network service provider stores the voice mail message left by the caller intended for the user [Column 5, Line 5-8].

Smith clearly discloses that notification message might include the caller's name and telephone number, a time and date stamp, and the name and address of voice mail server (inherently reads on assigning a message identifier step and storing the message identifier with the new voice message in order to identify the stored voice message) [Column 7, Line 51 – Column 8, Line 9][Figure 6 & 7] [Column 8, Line 10-65]. Smith also disclose that a shot message is sent to the user's mobile telephone, notifying the user of the pending voice mail message (inherently reads on forming a short message and indicating the new message stored in the voice mailbox of the voice mail server to the user and sending the short message step).

Art Unit: 2645

Regarding Claim 11, Smith discloses that user is enabled to access the user's voice mail box in voice mail server 5600 using the graphical controls [Figure 10] [Column 9, Line 54-65], receiving the pending messages (reads on a new or previously stored voice message stored in a voice mailbox of the voice mail server). Smith also discloses that the user is enabled to view the different types of pending messages such as fax mail, e-mail, voice mail, etc and enabled the user to view, prioritize, edit, playback, discard, and/or forward messages [Column 3, Line 48-59] stored in the voice mail server (reads on modifying information step). Smith also discloses that the user of the mobile telephone is capable of sending SMS messages via SMS server [Figure 3] [Column 5-Column 8, Line 1-10]. Therefore, forming a short message Step (c) and sending the short message step (d) are inherent since user's mobile terminal would have sent the network services provider a SMS message via Message center and SMS server to the voice server to request the user editing to the identified message stored in the user voice mail box of the voice server.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 4, 8, 10, 12 and 14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Smith et al. (US Patent Number: US006333973B1) in view of Houde et al. (US Patent Number: US005920822A).

Regarding Claims 4, 8, 10, 12 and 14, Smith fails to disclose short message service point-to-point type bearer data field.

Houde teaches air interface independent bearer data using short message service point-to-point type bearer data field [Summary] [Figure 3A & 3B]. Therefore, it would have been obvious to one of ordinary skill in the art to modify the Smith's message center to format the short message with the bearer data field as taught by Houde to support the short message service of different types of cellular network.

Response to Arguments

Applicant's arguments with respect to claims 1, 2, 4-6 and 8-19 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Anderson et al.	US Patent Number:	US005737394A
Gallant et al.	US Patent Number:	US005802466A
Lorello et al.	US Patent Number:	US006751463B1

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Aung T. Win whose telephone number is (571) 272-7549. The examiner can normally be reached on 8:30 AM - 5:00 PM.

Art Unit: 2645

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on (571) 272-7547.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Aung T. Win
Group Art Unit 2645
July 11, 2005


FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600